

REMARKS

The applicant thanks the Examiner for his courtesy in granting an office interview to the applicants' representative. During the interview proposed amended claims were discussed with respect to the cited references. The Examiner still considers the *Lund et al* reference to be pertinent despite the arguments presented. However, the Examiner stated that the application contained patentable material and more structure should be added to the claims.

The drawings and specification were objected to because the circumferential wall and bottom of the well was not shown in the drawing and identified in the specification.

The specification has been amended herein on page 5 to insert reference numeral "24" after the existing term "circumferential wall" and to insert reference numeral "26" after the existing term "bottom".

New matter has not been added.

FIG. 3 was amended to add reference numerals "24" and "26" to the drawing to correspond with the above-amended specification. A sheet labeled "Annotated Marked-Up Drawing" is enclosed showing, in red, the addition of numerals "24" and "26". A sheet labeled "Replacement Sheet" is enclosed with the correction in black and white.

Claims 1-3 were rejected under 35 U.S.C. §112, second paragraph and claims 1-12 were rejected under 35 U.S.C. §103(a).

Claims 1-12 have been canceled herein without prejudice or disclaimer and these issues are now moot.

In the interest of expediting the examination, new claims 13-24 have been inserted herein. Support for claims 13-24 is found in the specification pages 4-6 and FIGS. 1-8.

It is submitted that the claimed package is patentably distinguishable from *Lund et al*, *Kase et al* and the references not relied on. The prior art does not disclose a plurality of wells with at least one of the wells

having a center post with spokes radiating from the center to the circumferential walls. Further, the prior art does not suggest nor disclose an active ingredient in an article having sections which are received in the segments formed in the wells.

Neither do the cited references suggest nor disclose a package having a plurality of wells for forming a plurality of smaller portions of articles in at least one well. Further, the prior art does not suggest nor disclose removability of one or more portions of the article as needed to treat the body of water.

Lund et al do not suggest nor disclose a plurality of wells in a tray. *Lund et al* have only one well and there is no motivation to have more than one well in the device because the device is designed to be a separate station for bait for insects. The device has an anchor tube to secure the "single integrated unit" (column 3, line 13). Also, the partitions (considered spokes by the Examiner) are not connected to the center post as evident in FIG. 3. The support rod 50 (which the Examiner identifies as the post) is optional and is received in the hollow cylindrical section in the center of the cup (column 4, lines 16-18). The support rod does not terminate at the bottom of the well but extends beyond the bottom of the well and terminates on disc 51 (FIGS. 2 and 3). *Lund et al* do not suggest nor disclose the well may have no spokes or that the number of spokes may be different in different wells within the same device. Neither does *Lund et al* suggest nor disclose one or more sections formed in the insect control article which is received in the segments in the well. Rather, *Lund et al* uses the sections within the cup to house bait, pesticides and/or attractants for pests. The device of *Lund et al* is the actual device into which the pest must enter. The device of *Lund et al* is not a planar tray having a plurality of wells but rather is a self-contained device having only one well which is anchored in the ground. The applicants' device is a package for selectively storing and removing a desired amount of an active ingredient to which the pest is exposed externally of the package. It is submitted that not only are the structural differences sufficient to distinguish the applicants' package from the device of *Lund et al*, but there is no motivation for a person skilled in the art of packaging articles for control of mosquitos to

consider the insect bait device of *Lund et al.* Neither is there any motivation to combine *Lund et al.* and *Kase et al.* Even if combined, the resulting device would have a device which is anchored in the ground and has a single well to hold a bait.

None of the other references disclose a package with a plurality of wells wherein the well may have a differing number of spokes about a center post and the active article is received in the segments defined by the spokes. Also, the references do not suggest nor disclose removable sections of active ingredient to treat a body of water.

It appears that all matters have been addressed satisfactorily, and that the case is now in condition for a complete allowance; and the same is respectfully urged.

However, if the Examiner has any comments or questions, or has any suggestions as per MPEP 707.07 (d) and (j), for putting the case in condition for final allowance, he is respectfully urged to contact the undersigned attorney-of-record at the telephone number below, so that an expeditious resolution may be effected and the case passed to issue promptly.

Respectfully submitted,

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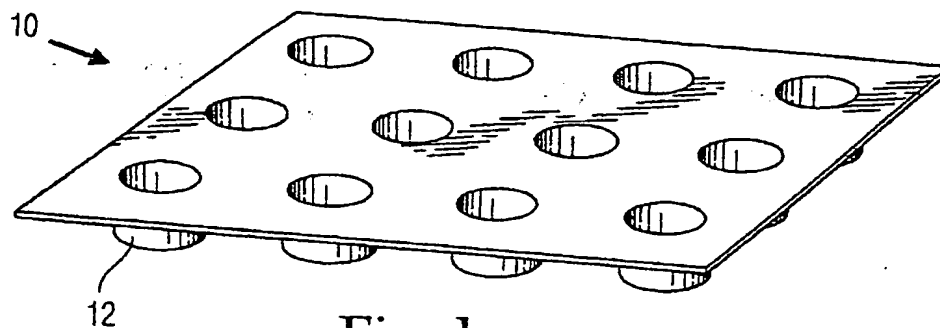


Fig. 1

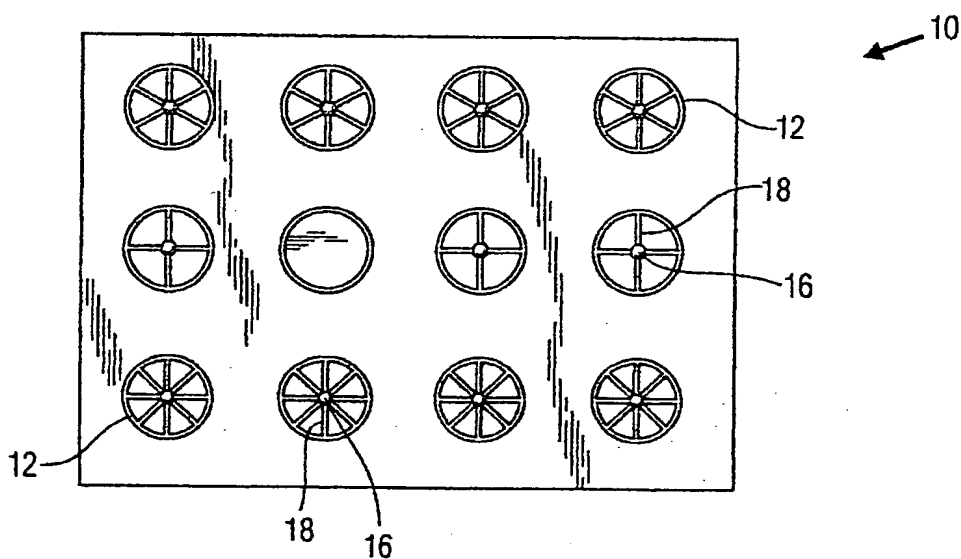


Fig. 2

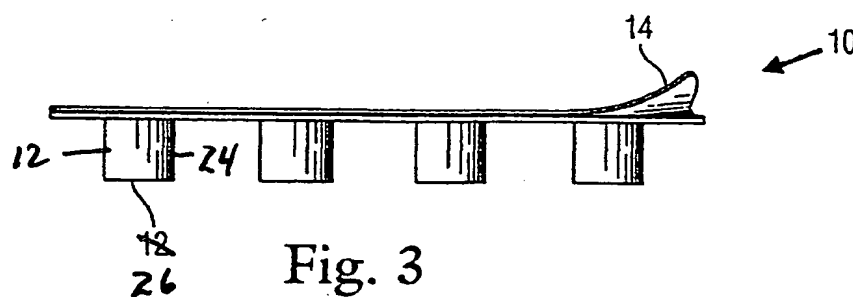


Fig. 3